



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

A matter regarding BOSA BLUE SKY PROPERTIES (MAIN) INC.  
and [tenant name suppressed to protect privacy]

## **DECISION**

Dispute Codes      MNDC, MNR-S, FF

This hearing dealt with the landlord's application pursuant to the *Residential Tenancy Act* (the Act) for:

- a monetary order for unpaid rent and for money owed or compensation for damage or loss under the Act, regulation or tenancy agreement pursuant to section 67;
- authorization to retain all or a portion of the tenant's security deposit in partial satisfaction of the monetary order requested pursuant to section 38;
- authorization to recover its filing fee for this application from the tenant pursuant to section 72.
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The landlord's agent (the landlord) attended the hearing via conference call and provided affirmed testimony. The tenant did not attend or submit any documentary evidence. The landlord stated that the tenant was served with the notice of hearing package via Canada Post Registered Mail on January 16, 2018. The landlord also stated that he had "no idea" how of if the tenant was served with the submitted documentary evidence. The landlord then stated that the tenant was served with the submitted documentary evidence in the same package as the notice of hearing package. As the landlord provided conflicting and contradictory testimony regarding the service of evidence, further discussions took place. The landlord withdrew his testimony confirming that as he had "inherited" the file from a previous agent he was unsure with the service of evidence to the tenant. On this basis, the submission of documentary evidence by the landlord was excluded for the purposes of this hearing. I accept the undisputed affirmed testimony of the landlord that the tenant was properly served with the notice of hearing package via Canada Post Registered Mail as per sections 88 and 89 of the Act.

At this time, the landlord stated that he wished to withdraw the application for dispute. As such, the landlord's application is considered withdrawn and no further action is required at this time.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: August 16, 2018

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Residential Tenancy Branch